# POR UTILITY/DESIGN CIP/PCT NATIONAL/PLANT ORIGINAL/SUBSTITUTE/SUPPLEMET T/ \_ DECLARATIONS

# RULE 63 (37 C.F.R. 1.63) DECLARATION AND POWER OF ATTOPNEY FOR PATENT APPLICATION IS UNITED STATES BATENT AND TRADE. ...RK OFFICE

CUSHMAN FORM R93/M#99042

IN THE UNITED STATES PATENT AND TRADE. ARK OFFICE

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118523.1	Great Britain	29 August 1991		<del></del>		$\frac{x}{x}$	
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hereby declare that a	li statements mad	de berein of my own kno	wiedge are tru	e and that all stateme	nts made on inf	formation and beli-	of are believe
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nd I hereby appoint (	Sushman, Darby	& Cushman, 1100 New Y	ork Avenue, N	.W., Ninth Floor, Was	hington, D.C. 2	20005-3918, telepho	ne number
o whom all communic	eations are to be	directed), and the below-	amed persons	(of the same address)	individually on	d collectively my at	tomevs to i
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(FOR ADDITIONAL INVENTORS, check box 🛛 and attach sheet (CDC-116.2) for same information for each re signature, name, date, citizenship, residence and address.)

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ADDITION	AL INV	ENTORS:			

5)	INVENTOR'S SIGNATURE	Franky Reve	mond Gereral Terry	Date_(	8 Hard 1993	
	Inventor's Name (type)				Belgium Country of Citizenship	
	Residence (City) Amzege	em		(State/Foreign (	Country) Belgium	
	Post Office Address (Include Zip Code) Schaagstraat 96, B-8570 Anzegem, Belgium					
		7 /				
6)	INVENTOR'S SIGNATURE Inventor's Name (type)	fores	Vander Pergelen	Date	8 march 1993	
	Inventor's Name (type)	Jozef	Middle Initial	Vanderleyden Family Name	Belgium Country of Citizenship	
	Residence (City) Heverle	FIESL NA		•	Country) Belgium	
	Post Office Address (Incl					
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	Residence (City)			(State/Foreign	Country)	
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8)	INVENTOR'S SIGNATUR	E		Date		
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	Inventor's Name (type)	First	Middle Initial	Family Name	Country of Citizenship	
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10)	INVENTOR'S SIGNATUR	E		Date		
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FO	R ADDITIONAL INVENTO	RS, check box	and attach sheet with	same information a	nd signature and date for each	

# 37 C.F.R. 1.56(a) (Rule 56(a)) PATE T AND TRADEMARK CASES - RULES OF RACTICE DUTY OF DISCLOSURE

(a) A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material when there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.

#### PATENT LAWS 35 U.S.C.

#### § 102. Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless-

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months\* before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

### § 103. Condition for patentability; non-obvious subject matter

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made. Subject matter developed by another person, which qualified as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

<sup>\*</sup> Six months for Design Applications (35 U.S.C. 172).